

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.

Johnny Raymond RODRIGUEZ III(1998/USC)

Case No. M-21-0495-M

United States Courts  
Southern District of Texas  
FILED

March 07, 2021

Defendant(s)

Nathan Ochsner, Clerk of Court

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 6, 2021 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

## Code Section

## Offense Description

21 USC § 952

Illegal Importation of a Controlled Substance / Approximately 5.12 Kilograms  
of Heroin a Schedule I Controlled Substance.

21 USC § 963

Conspiracy to Illegally Import a Controlled Substance / Approximately 5.12  
Kilograms of Heroin a Schedule I Controlled Substance.

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.

/s/ Brett Halleman

Complainant's signature

Brett Halleman, HSI Special Agent

Printed name and title

Complaint authorized by: AUSA M. Alexis Garcia

Submitted by reliable electronic means, sworn  
to and attested to telephonically per Fed. R. Cr.  
4.1, and probable cause found on:

Date: 3/7/2021 3:55pm



Judge's signature

City and state: McAllen, Texas

U.S. Magistrate Nadia S. Medrano

Printed name and title

**Attachment "A"**

I, Brett Halleman, am a Special Agent of the United States Homeland Security Investigations (HSI) and have knowledge of the following facts. The facts related in this attachment do not reflect the totality of information known to me or other agents/officers, merely the amount needed to establish probable cause. I do not rely upon facts not set forth herein in reaching my conclusion that a complaint should be issued, nor do I request that this Court rely upon any facts not set forth herein in reviewing this attachment in support of the complaint.

1. On March 6, 2021 Homeland Security Investigations in McAllen, Texas, (HSI McAllen) received a request for investigative assistance from the U.S. Customs and Border Protection (CBP) Office of Field Operations at the Progreso Port of Entry (POE) in Progreso, Texas. CBP Officers (CBPOs) detained Johnny Raymond RODRIGUEZ III (hereinafter RODRIGUEZ), a citizen of the United States, while attempting to enter the U.S. with approximately 5.12 kilograms (kg) of heroin concealed within the vehicle battery in the sedan in which RODRIGUEZ was driving. RODRIGUEZ was the sole occupant of the vehicle.
2. During primary inbound inspection, CBP Officers obtained a negative declaration for medications or goods. CBPOs referred RODRIGUEZ for a secondary inspection.
3. During secondary inspection, an X-ray examination of the vehicle revealed anomalies in the battery of the vehicle.
4. A physical search of the battery yielded five (5) cellophane wrapped packages. CBPOs field tested the substance inside five (5) of the packages, which was presumptive positive for the characteristics of heroin. The combined weight of the heroin packages was approximately 5.12 kilograms.
5. Homeland Security Investigations (HSI), Special Agents (SA) responded to the Progreso POE to assist in the investigation. The HSI SAs and a CBPO interviewed RODRIGUEZ who admitted knowledge of the heroin concealed within the sedan. During the interview, RODRIGUEZ stated this was not the first time he had attempted to smuggle heroin through the POE. RODRIGUEZ stated he expected to be paid for the smuggling event.